



APPLICATION ACCEPTED: September 19, 2014
BOARD OF ZONING APPEALS: May 13, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

May 6, 2015

STAFF REPORT

SPECIAL PERMIT SP 2014-SU-214

SULLY DISTRICT

APPLICANT: Sharon Paterson / Sherry's Daycare

OWNERS: Sharon Paterson
William Paterson

SUBDIVISION: Heritage Estates

STREET ADDRESS: 6369 Generals Ct., Centreville, 20121

TAX MAP REFERENCE: 65-2 ((9)) 104

LOT SIZE: 2,325 square feet

ZONING DISTRICT: R-8, WS

ZONING ORDINANCE PROVISIONS: 8-305, 3-803

SPECIAL PERMIT PROPOSAL: To permit a home child care facility.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-SU-214 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

Casey V. Gresham



A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

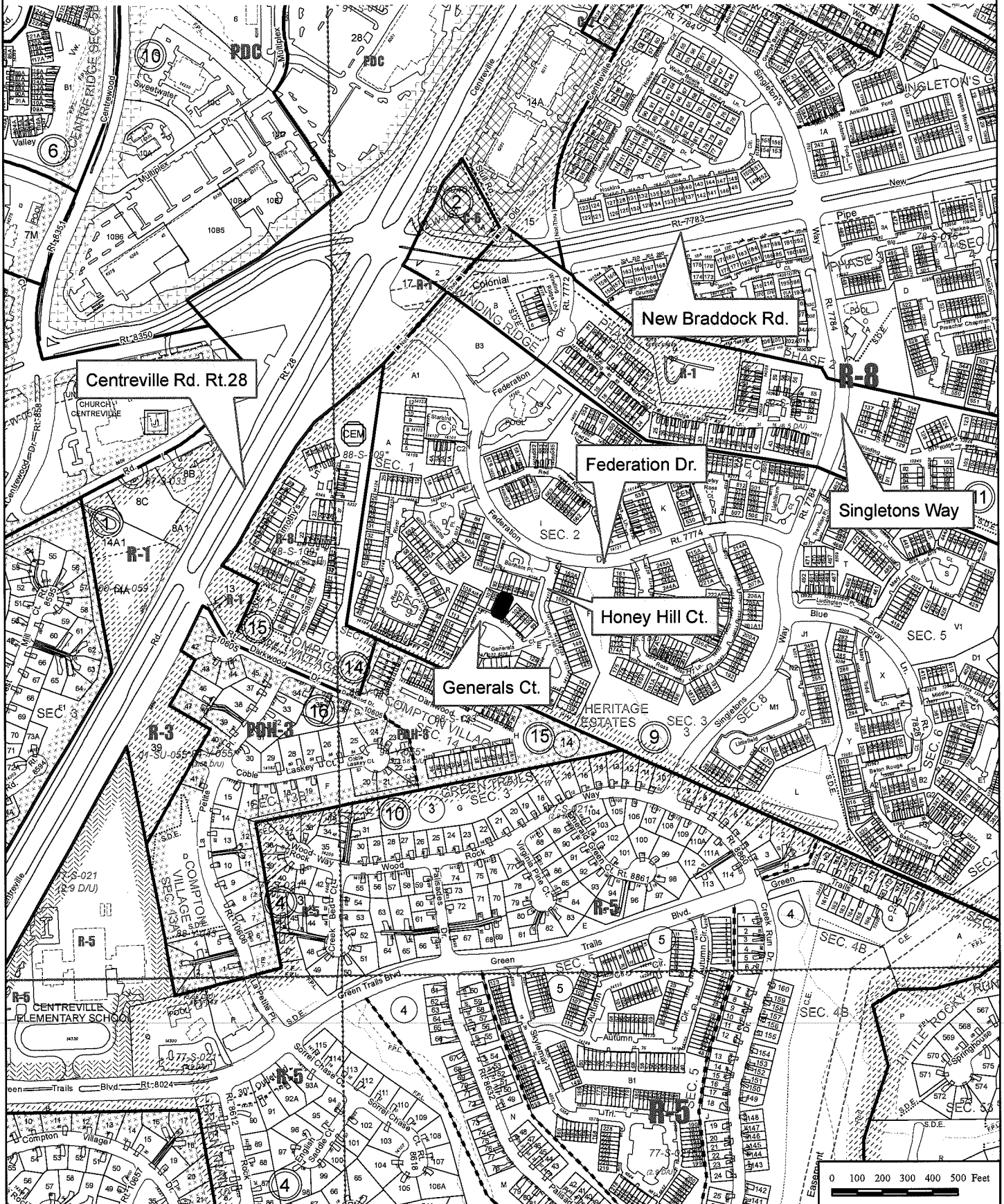
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**

Special Permit

SP 2014-SU-214

SHARON PATERSON / SHERRY'S DAYCARE



553751

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children. A copy of the special permit plat, titled "House Location Survey, Lot 104, Section 1, Heritage Estates," prepared by Larry N. Scartz, L.S., on July 19, 1995, as revised by Sharon Paterson through March 24, 2014, is included in the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is a two story single-family attached townhouse. Vehicular access to the townhouse is provided via Generals Court, and two parking spaces are available in the applicant's reserved spaces. The main entrance to the home also serves as the main entrance to the home child care. The rear yard is enclosed by a wood fence 6 feet in height and includes a deck 8 feet in height.



Figure 1: House Location

The subject property and surrounding properties are zoned R-8 and WS, and they are developed as single family attached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the unit was constructed in 1987 and purchased by the applicant in 1995.

The deck received approved building permits and inspections on August 10, 1995. This approved building permit is included as Appendix 4.

Records indicate that no special permit applications relating to a home child care facility in the immediate vicinity have been heard by the Board of Zoning Appeals.

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time between the hours of 7:00 a.m. and 5:45 p.m., Monday through Friday. Upon BZA decision, the applicant's state license would need to be amended to reflect the hours of operation. The applicant has a staggered drop-off and pick-up time for the children. One assistant currently works at the facility, and she either walks to the child care or parks on Federation Drive.

The applicant holds a current Family Day Home License from the Commonwealth of Virginia, Department of Social Services, valid through March 28, 2017. The license permits a capacity of twelve children, ages birth through 12 years, 11 months. A copy of the license is included as Appendix 5.

The home child care facility is operated on the basement, the first floor, and occasionally the second floor of the house, which include multiple play areas, a kitchen, and a living room. The facility currently operates as a before and after-school daycare, and no napping areas are provided.

Outdoor play occurs in the rear yard. Toys and moveable play equipment are provided by the applicant.

ANALYSIS

Comprehensive Plan Provisions

Plan Area:	Area III, Bull Run Planning District
Planning Sector:	Centreville Community Planning Sector (BR6)
Plan Map:	8-12 dwelling units per acre

Zoning District Standards

Bulk Standards (R-8) for Single Family <u>Attached</u> Dwellings		
Standard	Required	Provided
Lot Size	No requirement for attached single family dwelling	2,325 sf
Lot Width	18 feet	31 feet
Building Height	35 feet max.	Figure not provided
Front Yard ¹	Min 5 feet	14.6 feet
Side Yard ²	Min. 10 feet	Attached home
Rear Yard ³	Min. 20 feet	>20 feet

¹ ABP = 15 degree Angle of Bulk Plane² ABP = 15 degree Angle of Bulk Plane³ ABP = 30 degree Angle of Bulk Plane**On-Site Parking and Site Circulation**

The applicant's two assigned parking spaces are available for all drop-off and pick-up activities. In addition, open visitor parking is provided. A condition has been included to ensure all drop-off and pick-up activities occur in the two reserved spaces.

Zoning Inspection Report

The Zoning Inspections Branch report is included in Appendix 6. All noted violations have been addressed, and updated photos have been included showing the corrected items in Appendix 7.

Zoning Ordinance Requirements (Appendix 8)

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities
- Sect. 10-103 Par. 6 Location Regulations

General Standards for Special Permit Uses (Sect. 8-006)

Standards 1 and 2 Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends a residential use, and the property is developed in accordance with the plan recommendation. The R-8 District permits a home child care facility as an accessory use with special permit approval.
Standard 3	No new construction is proposed. In staff's opinion, the

Adjacent Development	proposed use will not hinder or discourage the use or development of neighboring properties or negatively affect value.
Standard 4 Pedestrian/Vehicular Traffic	Arrival and departure times of the children are staggered, and in staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/Screening	There is an existing wood fence in the rear yard that provides screening to the rear yard.
Standard 6 Open Space	There is no prescribed open space required in the R-8 District; this proposal does not affect the open space provided on the lot.
Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property. As previously discussed, the driveway would be used for parking for the home child care facility.
Standard 8 Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

Standards for all Group 3 Uses (Sect. 8-303)

Standard 1 Lot Size and Bulk Regulations	The property meets the lot size and bulk regulations for the R-8 District. No new construction or exterior modifications are proposed.
Standard 2 Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 Site Plan	Home child care facilities are not subject to the provisions of Article 17, Site Plans.

Additional Standards for Home Child Care Facilities (Sect. 8-305)

Standard 1 Maximum of 12 Children & Non-Resident Employee	The applicant is proposing a maximum of 12 children at any one time, and the development conditions allow up to two non-resident employees.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered and ample parking is available in the two reserved driveway spaces. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 3 Landscaping/Screening	There is an existing wood fence in the rear yard that provides screening to the outdoor play area.
Standard 4 Submission Requirements	The applicant met all submission requirements for a home child care facility.

Standard 5 Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	The applicant holds a valid home child care license.
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Use Limitations (Par. 6 of Sect. 10-103)

Part A Maximum Number of Children	The maximum number of children permitted by-right at any one time is five in a single family attached dwelling. The applicant requests special permit approval to permit a maximum of twelve children at any one time.
Part B Licensed Provider/Primary Residence	The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.
Part C No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use.
Part D Non-Resident Employee	The applicant is proposing two non-resident employees.
Part E Provider is a Resident	The provider resides in the application property.
Part F Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care license.
Part G Increase in Children or Non-Resident Employee	The maximum number of children permitted by-right at any one time is five in a single family attached dwelling and can be increased up to 12 children with special permit approval. The applicant requests special permit approval to permit a maximum of 12 children at any one time and two non-resident employees.

CONCLUSION / RECOMMENDATION

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions.

Staff recommends approval of SP 2014-LE-198 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. Approved Building Permit for Deck
5. State Family Day Home License
6. Zoning Inspections Branch Comments
7. Corrected Violation Photos
8. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-SU-214****May 6, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SU-214 located at Tax Map 65-2 ((9)) 104 to permit a home child care facility pursuant to Section 8-305 and 8-805 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Sharon Paterson, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6369 Generals Ct., and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "House Location Survey, Lot 104, Section 1, Heritage Estates," prepared by Larry N. Scartz, L.S., on July 19, 1995, as revised by Sharon Paterson through March 24, 2014, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during hours of operation.
4. The hours of operation of the home child care facility shall be limited to 7:00 a.m. to 5:45 p.m., Monday through Friday. The applicant shall continue to operate with her approved hours of operation (7:00 a.m. to 5:30 p.m.) until granted a revised license approving the requested hours of operation (7:00 a.m. to 5:45 p.m.).
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. There shall be no signage associated with the home child care facility.
9. All drop-off and pick-up of children shall take place in the applicant's assigned parking spaces.
10. The approval of this use is contingent on the applicant's continued right to utilize community parking spaces or other common amenities necessary for the operation of the home child care facility, including the ability to utilize the HOA playground.

11. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping area shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
12. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
13. All sheds shall be locked during the hours of operation of the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Statement of Justification for a Home Child Care Facility

Sharon Paterson
6369 Generals Court
Centreville, Va. 20121
703-868-2111
sherrypaterson@verizon.net

RECEIVED
Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division

Fairfax County Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Va. 22035

Re: Special Permit Application

Tax Map #0652090104
Zoning District: R-8
Lot size: 2325 Square feet
House Size: 1740 Square feet

March 29, 2014

To Whom It May Concern:

I own and live in an attached townhome at 6369 Generals Court, Centreville, Va. with my husband. I am seeking approval for a Special Permit in order to continue caring for the 12 children I am currently caring for and licensed for through the State of Virginia.

Hours of Operation

I operate a Before and After School Home Daycare.

My hours are:

7:20-8:45 and 3:45-5:45, Tuesday-Friday

7:20-8:45 and 1:15-5:45 on Mondays

During summer months I am open from 7:20-5:45 Monday-Friday.

I am closed three weeks out of the year in addition to all Federal Holidays and Federal Government closings due to inclement weather or other unforeseen circumstances.

Area Served

During the school year I cater to Centerville Elementary School. The children are dropped off and picked up from the bus stop daily.

I also pick up a family of three children in my vehicle daily, (afternoons only), from a bus stop in The Little Rocky Run neighborhood.

Assistant

I have one assistant who lives in my neighborhood and works afternoons (4:15-5:30), during the school year and part time hours during the summer. Her arrival time during the summer months varies, but usually isn't until 9:00a.m. and her departure times depend on our outside activities and does not extend past 5:45 p.m. She either parks on Federation Drive or walks to the daycare.

Layout of the House

Basement: On the basement level the children have access to the entire floor with exception to the laundry room. There is a playroom, family room, bathroom and a door to exit to the back yard.

First Floor: On the first floor, the children have access to the entire floor. There is a kitchen, living room and bathroom on this level. There is an exit through the front door and an exit through the back door to the deck, which they use for play.

Second Floor: On the second floor, the children have access to the spare bedroom 2, and office (Bedroom 3). These rooms are used only if the children need the computers for home work or if they need some quiet time to read. They also have access to the hall bath.

Hazardous and Toxic Substances

The house and yard are free from any hazardous or toxic substances. No hazardous materials or substances will be generated, utilized, stored, treaded or/and disposed of onsite

Zoning Ordinance Compliance

The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modifications.

Arrival and Departure Schedule

See attachment for arrival and departure schedule.

Parking

I have two assigned spaces available for my daycare parents to use. My employee and I park on Federation Drive during arrival and departure times. Overflow parking is on Federation Drive.

Outdoor Play Area

The children use the deck, front yard and back yard for play. We also use the local park areas.

Most of our time is spent playing organized games and bike riding, with the exception of summer when more activities are planned, such as water play, outdoor science, and scavenger hunts, (to name a few), and daily field trips off our property.

In Conclusion

I believe my business has been an asset to our community. My neighbors have had the convenience and peace of mind knowing we are close by and just a step away from their own doorstep at the beginning and end of their day.

Im not only their provider to them, Im their neighbor, their friend, or their back up when they need help in any way.

Many friendships have been formed in our community from children attending my daycare. I'll see daycare parents taking walks with other daycare families, and riding bikes together. I'll see waves and hear "Hi Mrs. Sherry!" from children and parents all over our community, and I hear families making plans to swim at our local pool together, or set dates to meet at our playgrounds.

Overall, it's not just a Home Daycare, it's a place where lasting friendships have been, and continue to be, created.

I've taken great care over the last 23 years of operating my home daycare, to assure that we are not a burden or nuisance to my neighbors, and I will continue to do so.

I am proposing no changes to the outside appearance of my brick and vinyl sided home. I propose no additional signs regarding daycare. Adequate parking is available for my parents, family and employee. For these reasons, I believe that my proposed home daycare facility will not impact my neighbors in any negative way.

Sincerely,



Sharon Paterson

Owner and Operator of Sherry's Daycare

Sherry's Before & After School Care Schedule-Monday

Child	AM Arrivals				AM Departures
	7:20am - 7:30am	7:30am - 7:45am	7:45 - 8:15am	8:15am - 8:45am	8:45am
1	x				x
2	x				x
3	x				x
4	x				x
5		x			x
6			x		
7					
8					
9					
10				x	x
11				x	x
12					

PM Arrivals							PM Departures	
1:20pm	1:40pm	3:45pm	4:15pm	5:00pm - 5:15pm	5:15pm - 5:30pm	5:30pm - 5:45pm		
	x				x			
	x							x
	x				x			
	x				x			
	x				x			
x				x				
x				x				
x				x				
	x			x				
	x			x				
	x		x					

Notes:

Child 3&4 (Siblings-Same Vehicle)

Child 6 (Parent walks, weather permitting)

Child 10 & 11 (Siblings-Same Vehicle) (Parent walks, weather permitting)

Child 9 Monday afternoons only (Parent walks, weather permitting)

Child 7,8 & 9 (Siblings- Same Vehicle)

Mornings Departure: All children walk to the bus with Provider

Afternoon Arrivals: Child 7,8 & 9 Arrive in Providers car

Afternoon Arrivals: All additional children walk to daycare from bus stop with Provider

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Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division

Sherry's Before & After School Care Schedule-Tues-Fri

AM Arrivals				AM Departures
n - 7:30am	7:30am - 7:45am	7:45 - 8:15am	8:15am - 8:45am	8:45am
X				X
X				X
X				X
X				X
	X			X
			X	X
			X	X
			X	X

PM Arrivals				PM Departures		
1:20pm	1:40pm	3:45pm	4:15pm	5:00pm - 5:15pm	5:15pm - 5:30pm	5:30pm - 5:45pm
			X	X		
			X			x
			X		X	
			X		X	
			X		X	
			X	X		
		X			X	
		X			X	
		X			X	
			X	X		
			X	X		

Tues, Thurs, Fri only (Parent walks, weather permitting)

4 (Siblings- Same Vehicle)

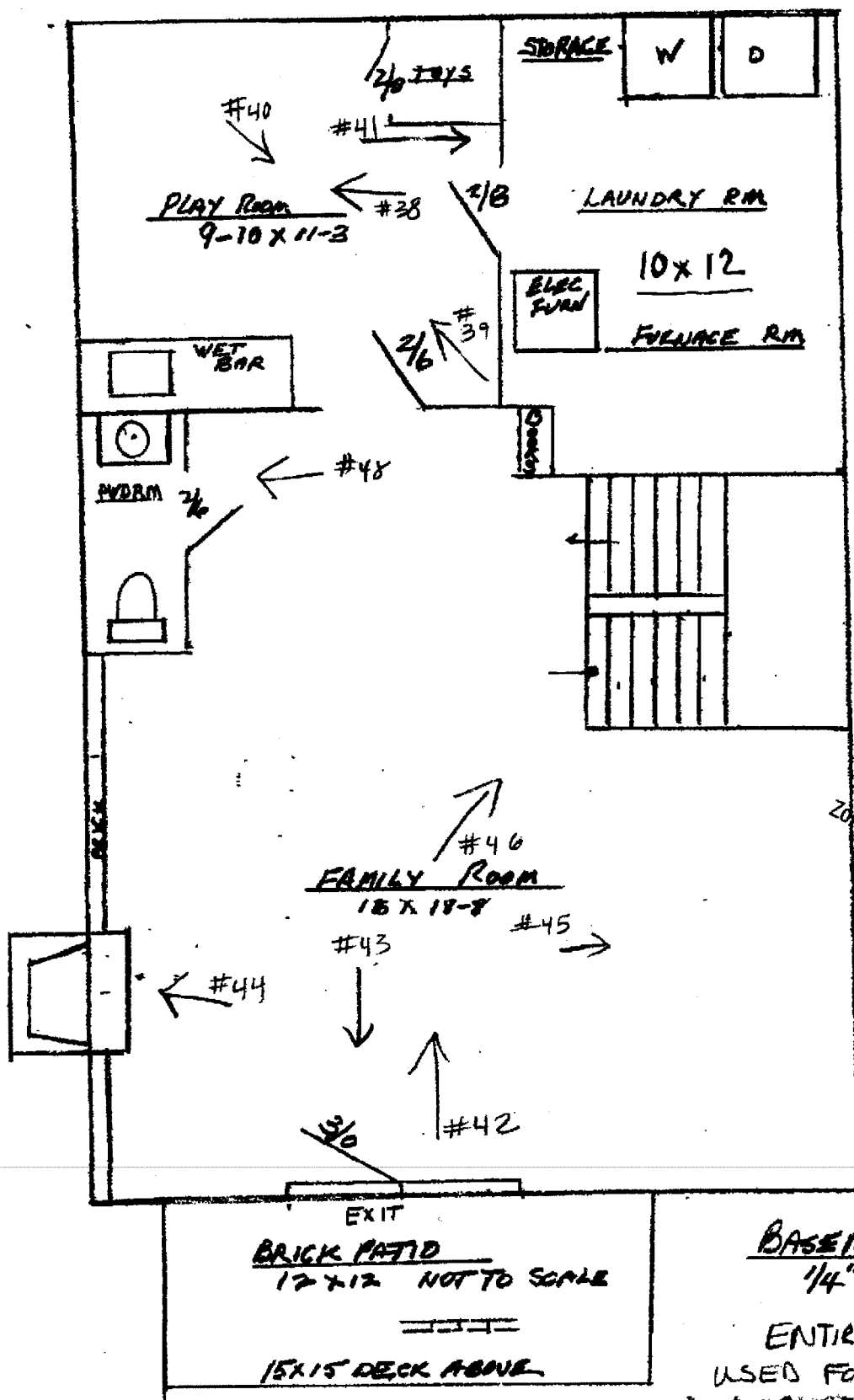
8 & 9 (Siblings- Same Vehicle)

11 (Siblings- Same Vehicle) (Parent walks, weather permitting)

Shawn Paterson 703-868-7711

3-29-14

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Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division

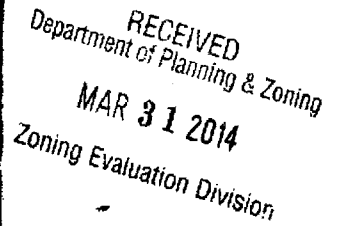


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MAR 31 2014
Zoning Evaluation Division

BASEMENT LEVEL
1/4" = 1'-0"

ENTIRE BASEMENT
USED FOR CHILDCARE
EXCEPT LAUNDRY ROOM

3-29-14



RECEIVED
Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division

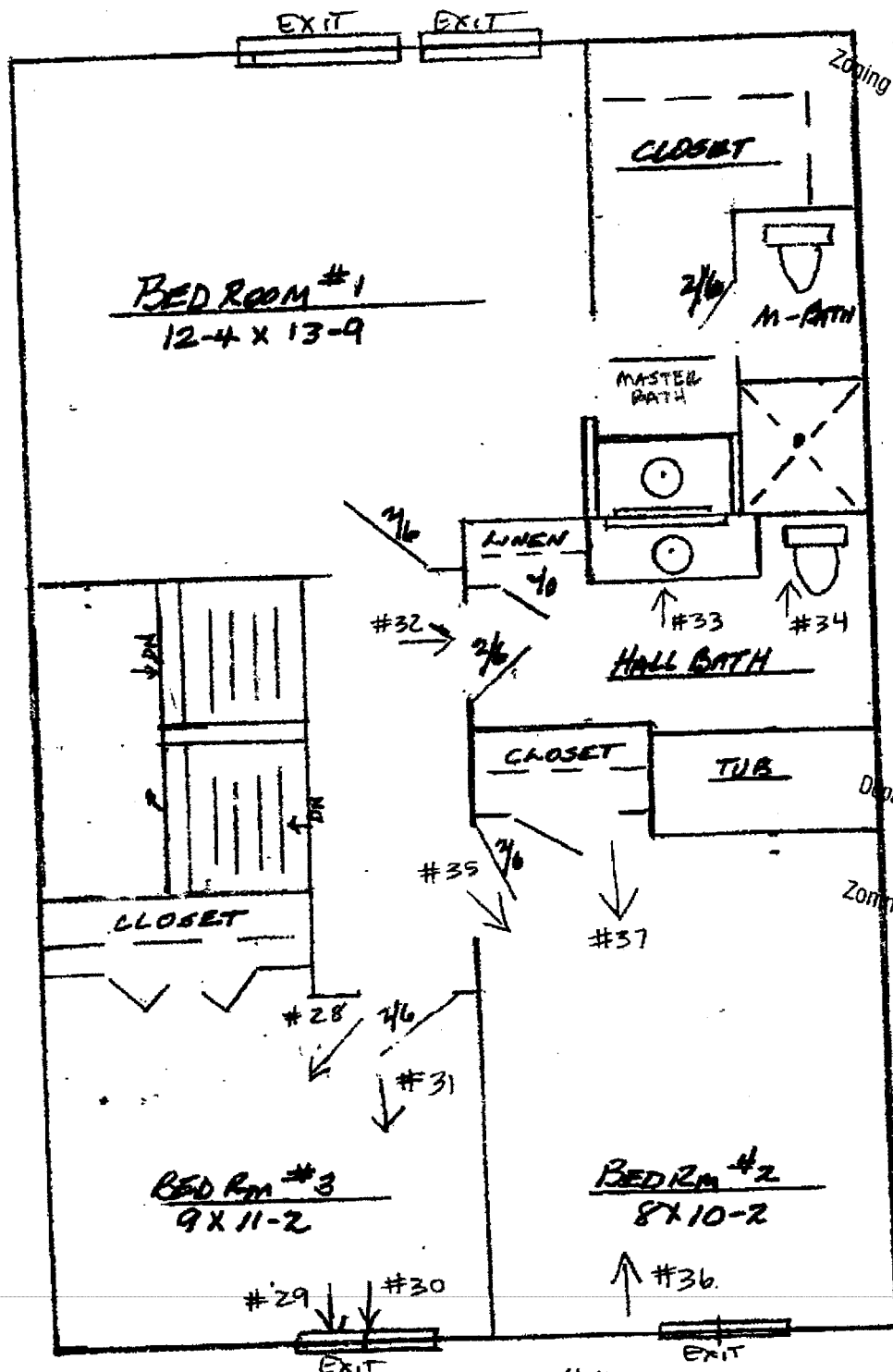
ENTIRE FIRST FLOOR USED FOR CHILDCARE

House Sq ft 1740

Sharon Patton 703-868-2111

3-29-14

RECEIVED
Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division



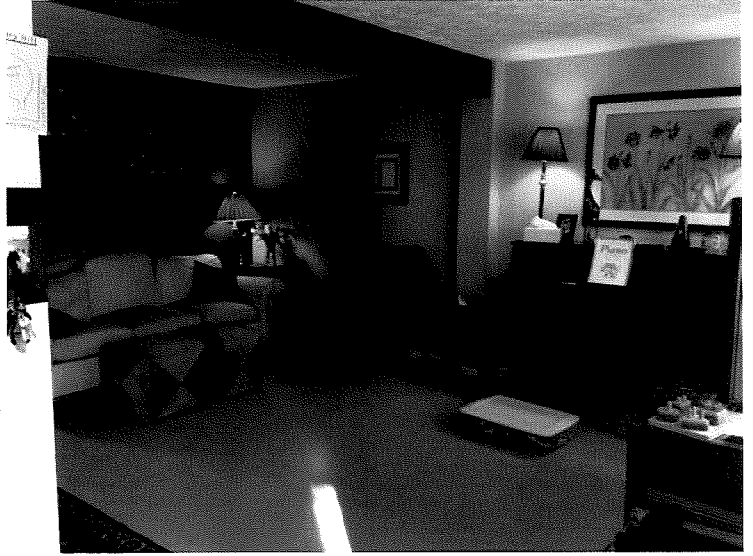
RECEIVED
Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division

SECOND FLOOR 1/4"=1'-0"

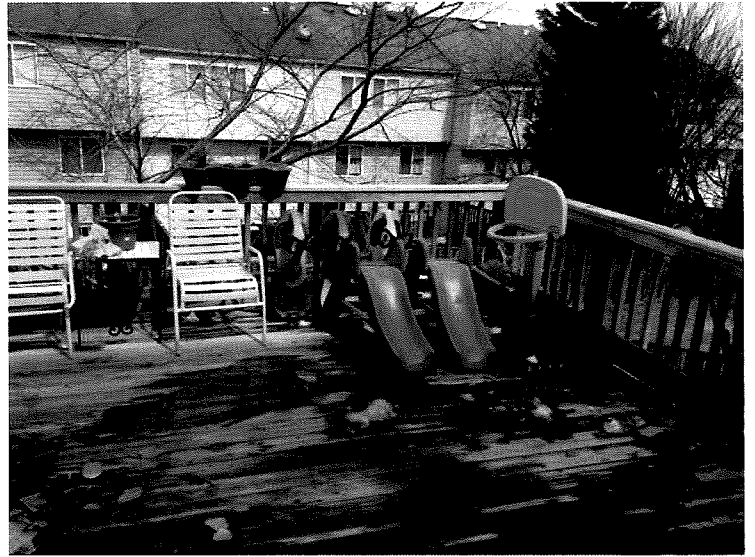
ALL ROOMS USED FOR CHILD CARE
EXCEPT BED ROOM 2 (MASTER)
AND MASTER BATH















Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3-25-2014
(enter date affidavit is notarized)

I, Sharon Lee Paterson, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☒ applicant
☐ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true: 125035

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Sharon Lee Paterson	6369 Generals ct Centreville Va 20121	Applicant / Title Owner
William D Paterson Daniel (William Daniel Paterson)	6369 Generals ct Centreville VA 20121	Co-Title owner

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

- * In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

CAB

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3-25-2014
(enter date affidavit is notarized)

125035

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3-25-2014
(enter date affidavit is notarized)

125035

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

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(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3-25-2014
(enter date affidavit is notarized)

125035

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3-25-2014
(enter date affidavit is notarized)

125035

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

Sharon Lee Paterson
☒ Applicant

☐ Applicant's Authorized Agent

Sharon Lee Paterson - Applicant
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 25th day of March, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Erick E. Amaya Deyel
Notary Public

My commission expires: December 31, 2016

COMMONWEALTH OF VIRGINIA
ERICK E. AMAYA - NOTARY PUBLIC
COMMISSION NO: 7086049
My Commission Expires 12/31/2016

BUILDING PERMIT APPLICATION

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
FAIRFAX COUNTY, VIRGINIA
PERMIT APPLICATION CENTER
12055 Government Center Parkway, 2nd Floor
Fairfax, Virginia 22035-5504
(703) 222-0801

030
292

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
(PLEASE PRINT OR TYPE)

JOB LOCATION:

ADDRESS 6369 GENERALS CT
LOT # 104 BUILDING _____
FLOOR _____ SUITE _____
SUBDIVISION Heritage Estates Sect. 1
TENANT'S NAME _____

OWNER INFORMATION: OWNER ☒ TENANT ☐

NAME MRS MRS PATERSON
ADDRESS 6369 GENERALS CT
CITY Centreville STATE VA ZIP _____
TELEPHONE 703 222 0727

CONTRACTOR INFORMATION:

CHECK IF SAME AS OWNER ☐
COMPANY NAME RLC BUILDERS INC
ADDRESS 11222 POPES HEAD RD
CITY FAIRFAX STATE VA ZIP 22030
TELEPHONE 703 278 9364
LOCAL CONTRACTOR LICENSE # _____
STATE CONTRACTORS LICENSE # 078346
COUNTY BUSINESS ACCOUNT # 4-5368
APPLICANT Robert R. Comegys

DESCRIPTION OF WORK

15X15 DECK W/STEPS, FENCE, SFD
(2) ATRIUM DRs

HOUSE TYPE

ESTIMATED COST OF CONSTRUCTION \$2,000.00

BLDG AREA (SQ FT OF FOOTPRINT) _____

USE GROUP OF BUILDING R4

TYPE OF CONSTRUCTION SB

SEWER SERVICE: PUBLIC ☒ SEPTIC ☐ OTHER ☐

WATER SERVICE: PUBLIC ☒ WELL ☐ OTHER ☐

OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT:
(Residential Construction Only)

NAME: VAIL PISCHEKE ESQ
ADDRESS: 2403 REYNOLDS ST.
FALLS CHURCH VA

NONE DESIGNATED: ☐ PHONE: 703 241-2272

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS:

# KITCHENS	_____	EXTER. WALLS	_____
# BATHS	_____	INTER. WALLS	_____
# HALF BATHS	_____	ROOF MATERIAL	_____
# BEDROOMS	_____	FLOOR MATERIAL	_____
# OF ROOMS	_____	FIN. BASEMENT	_____ %
# STORIES	_____	HEATING FUEL	_____
BUILDING HEIGHT	<u>8'</u>	HEATING SYSTEM	_____
BUILDING AREA	_____	# FIREPLACES	_____
BASEMENT	_____		

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Robert R. Comegys 8/9/95
Signature of Owner or Agent Date

Robert R. Comegys
Printed Name and Title

APPENDIX 4

PERMIT #

95222B0820

FOR INSPECTIONS CALL: (703) 222-0455

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY		
PLAN #	<u>W-95-04231</u>	
TAX MAP #	<u>065-2 09 0109</u>	
ROUTING	DATE	APPROVED BY:
ZONING	<u>8/10/95</u>	<u>RL</u>
SITE PERMITS	<u>8-10-95</u>	<u>RL</u>
SANITATION		
HEALTH DEPT.		
FIRE MARSHAL		
BUILDING REVIEW	<u>8-10-95</u>	<u>RL</u>
LICENSING	<u>8-10-95</u>	<u>RL</u>
ASBESTOS		
<u>Logan</u>		
FEE	\$	
FILING FEE	\$	
AMOUNT DUE	\$	<u>56.00</u>
BUILDING PLAN REVIEW		
REVIEWER	<u>RL</u>	# OF HOURS <u>0.2</u>
REVISION FEES	\$	
FIRE MARSHAL FEES	\$	
FIXTURE UNITS		PLAN LOC: J <input type="checkbox"/> R <input type="checkbox"/>
APPROVED FOR ISSUANCE OF BUILDING PERMIT		
BY	<u>[Signature]</u>	DATE <u>8/10/95</u>

ZONING REVIEW: ZONING CLASS R-8 (WS)
USE TH - open deck w/steps

ZONING CASE # _____

GROSS FLOOR AREA OF TENANT SPACE _____

YARDS: _____

FRONT NC

FRONT NC

L SIDE NC

R SIDE NC

REAR 15'

GARAGE: 1 ☐ 2 ☐ 3 ☐

OPTIONS: YES ☐ NO ☐

REMARKS: _____

GRADING AND DRAINAGE REVIEW

SOILS: #Campbell A ☐ B ☐ C ☐

HISTORICAL DISTRICT _____

AREA TO BE DISTURBED (TOTAL SQ FT) N/A

ADD'L IMPERVIOUS AREA (ADDED SQ FT) N/A

PROFFERS _____

PLAN # _____ APPR. DATE _____

STAMPS:

FF

FOOTINGS AND PIERS MUST BE PLACED
ON COMPETENT MATERIAL

(See reverse side of application)

REMARKS:

* settlement papers

plot attached

Notary Signature

(Notarisation required if owner not present at time of application)

Date

Virginia.gov

Agencies | Governor



VIRGINIA DEPARTMENT OF SOCIAL SERVICES

Sharon Paterson

6369 Generals Court

CENTREVILLE, VA 20121

(703) 222-0727 ☎

Facility Type: Family Day Home

License Type: Two Year

Expiration Date: March 28, 2017

Business Hours: 7:00 A.M. - 5:30p.m.
Monday - Friday

Capacity: 12

Ages: Birth - 12 years 11 months

Inspector: Sandra W D'Imperio
(703) 479-4675 ☎



County of Fairfax, Virginia

MEMORANDUM

Date: April 6, 2015

To: Casey Gresham, Staff Coordinator
Zoning Evaluation Division

From: Bruce Miller, Zoning/Property Maintenance Inspector *BM*
Zoning Inspection Branch

Subject: Home Child Care Facility (HCCF), Special Permit # SP 2014-SU-214

Applicant: Sharon Paterson / Sherry's Daycare
6369 Generals Court, Centreville, Virginia 20121
Legal Description: Heritage Estates, Sec. 1, Lot 1
Tax Map Ref: 65-2 ((9)) 104
Zoning District: R-8
Overlay District: WS
Lot Size: 2,325 square feet
ZIB# 2015-0105

On March 13, 2015, an inspection was conducted by Zoning/Property Maintenance Inspector Bruce Miller of the property located at 6369 Generals Court, Centreville, Virginia 20121. The Inspector was accompanied by Staff Coordinator Casey Gresham, Zoning Inspector Amy Moxley and the applicant.

*KEY: A "✓" mark in a box indicates that the item was deficient.
An unmarked box indicates that no violation was found.*

- ☐ 1. An operable smoke alarm shall be provided outside (or inside) of each sleeping area, with at least one such device on each floor.
- ☐ 2. All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- ☐ 3. All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.
- ☐ 4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- ☐ 5. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.

- ☒ 6. A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.

Comment: The working area in front of the service panel must be maintained clear of furnishings.

- ☒ 7. Other Building Code issues:

Comment: The keyed deadbolt locks on the basement egress door cannot require the need for keys or special knowledge to open. Therefore the applicant must replace the keyed deadbolt lock on the basement egress door with compliant locks.

Comment: Openings in plenum in the basement HCCF room must be covered.

- ☐ 8. Structures comply with the Zoning Ordinance.

Photographs are attached.



8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-305 Additional Standards for Home Child Care Facilities

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.

4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
 - A. The dimensions, boundary lines and area of the lot or parcel.
 - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
 - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
 - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

10-103 Use Limitations

6. The following use limitations shall apply to home child care facilities:
 - A. The maximum number of children permitted at any one time shall be as follows:
 - (1) Seven (7) when such facility is located in a single family detached dwelling.
 - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

- B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.
 - C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play

equipment and other accessory uses and structures permitted by this Part shall be allowed.

- D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.
- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.
- G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8